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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,656	01/24/2002	Anthony A. Shah-Nazaroff	42390P6490C	9800

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EXAMINER	
SAID, MANSOUR M	

ART UNIT	PAPER NUMBER
2673	7

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/056,656	SHAH-NAZAROFF, ANTHONY A.	
	Examiner	Art Unit	
	MANSOUR M SAID	2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-23* is/are allowed.

6)☒ Claim(s) *24-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 6.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in respond to the amendment filed On March 1 & 18, 2004.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 24, 29-40, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Autry in view of Stork et al. (6,104,380; hereinafter referred to as Stork).

As to claim 24, Autry teaches that a wireless remote control unit (keyboard remote, (figure 10, (126)) for an entertainment system comprising an active signal of a pointer device, (track ball, (figure 9, (910)) to display a pointer (cursor) on a display device of the entertainment system (column 11, lines 24-37) ; and a transmission unit (RF generating circuit, (figures 9-10, (932 & 1040)), coupled to the navigation unit (figure 9, (910)) to transmit the active signal to a wireless receiver of an entertainment system (abstract; (figures 9-10; column 11, lines 24-67; column 12, lines 24-67 and column 13, lines 1-23).

Autry does not expressly teach a sensor unit that generates an active signal to the display pointer on a display independent of the selection of any position direction, any command and any option.

However, Stork teaches a cursor control device (figures 1 , (14,); (figure 2, ((150)) & (figure 3, (114)) having a sensor unit (position sensor, (figure 2, (210)) that generates an active signal to the display pointer on a display independent of the selection of any position direction, any command and any option (column 5, lines 40-45; column 5, lines 64-67 and column 6, lines 13-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Strork's an input device having sensors into Autry's input device so as to increase the versatility of the input device.

As to claim 29, Autry teaches where a navigation unit (track ball, (figure 9A, (910)) & figure 10. (1010) to generate position signals to direct the position of the pointer on the display device and wherein the transmission unit further transmits the position signals to the wireless receiver of the entertainment system (figures 9-10; column 11, lines 30-40 and column 12, lines 45-53).

As to claim 30, Autry teaches wherein the navigation unit comprises a trackball (track ball, (figure 9A, (910)) and column 11, lines 24-40).

As to claim 31, Autry teaches wherein the navigation unit comprises a finger pad (touch pad, (figures 9-10, (910 &1010)); column 11, lines 34-36 and column 12, lines 45-49).

As to claim 32, Autry teaches wherein the navigation unit comprises a plurality of navigation buttons (figures 9 & 10, (track ball or touch pad or joystick (910) column 11, lines 24-37).

As to claim 33, Autry teaches a selection unit (figures 9-10, (912; 1010 & 1032) to generate selection signals indicating a selection of an option related to the position of the pointer on the display device and wherein the transmission unit further transmits the selection signals to the wireless receiver of the entertainment system (column 11, lines 45-50 and column 12, lines 44-49).

As to claim 34, Autry teaches that a wireless remote control unit (keyboard remote, (figure 10, (126)) for an entertainment system comprising an active signal of a pointer device, (track ball, (figure 9, (910)) to display a pointer (cursor) on a display device of the entertainment system (column 11, lines 24-37) ; and a transmission unit (RF generating circuit, (figures 9-10, (932 & 1040)), coupled to the navigation unit (figure 9-10, (910 & 1010)) to transmit the active signal to a wireless receiver of an entertainment system (abstract; (figures 9-10; column 11, lines 24-67; column 12, lines 24-67 and column 13, lines 1-23), the selection unit (selection button, (figure 9, (912)) & figure 10, (1030 & 1031)) to receive the position signals, the selection signals and the active signal and transmit them to a remote location (column 11, lines 45-51 and column 12, lines 45-50).

Autry does not expressly teach a sensor unit that generates an active signal to the display pointer on a display independent of the selection of any position direction, any command and any option.

However, Stork teaches a cursor control device (figures 1 , (14,); (figure 2, ((150)) & (figure 3, (114)) having a sensor unit (position sensor, (figure 2, (210)) that generates an active signal to the display pointer on a display independent of the selection of any position direction, any command and any option (column 5, lines 40-45; column 5, lines 64-67 and column 6, lines 13-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Strork's an input device having sensors into Autry's input device so as to increase the versatility of the input device.

As to claim 35, Autry teaches wherein the position signals describe a coordinate on a defined coordinate system of the display device to move the pointer (figures 9 & 10; column 11, lines 24-67 and column 12, lines 24-67).

As to claim 36, Autry teaches wherein the navigation unit comprises at least one of a trackball (trackball, (figure 9, (910)) a touch pad (column 11, lines 34-40), a joystick (figure 9, (911)), and a plurality of navigation buttons (figure 9-10, (910 & 1010)) (column 11, lines 24-67 and column 12, lines 40-52).

As to claim 37, Autry teaches wherein the selection unit comprises a button (figure 9, (930 & 932)) so that a user can make a selection by positioning the pointer with the navigation unit (trackball, (figure 9, (910)) and pushing the selection button (column 11, lines 24-67 and column 12, lines 1-33).

As to claim 38, Autry teaches wherein the selection signals are effective to notify a computer system at the remote location that a selectable identifier on a display device has been selected (figures 9 and 10; column 11, lines 24-67 and column 12, lines 1-67).

As to claim 39, Stork teaches wherein the sensor unit (figures 1-2, (114 & 210)) is triggered when the pointing device is being used (column 5, lines 1-9 and column 6, lines 13-16).

As to claim 40, Stork teaches wherein the sensor unit (figures 1-2, (114 & 210) is triggered whenever the navigation unit or the selection unit (column 6, lines 58-64).

As to claim 45, Autry teaches wherein the transmission unit transmits to a wireless interface of an entertainment system (figures 9-10; column 11, lines 24-67 and column 12, lines 1-67).

As to claim 46, Autry teaches wherein the active signal is effective to display the pointer on a display device of the entertainment system (figures 9-10; column 11, lines 24-67 and column 12, lines 1-67).

4. Claims 25-27 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Autry in view of Stork as applied to claims 24 and 34 above, and further in view of Persidsky (6,130,666).

As to claims 25-26 and 41-42, Autry and Stork teach all claimed limitations except a pressure sensor.

However, Persidsky teaches an input device (figures 1-2) comprising a pressure sensor (figure 2, (14)) (column 3, lines 43-51 and column 4, lines 37-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Persidsky's an input device having pressure sensors into Autry's modified input device so as that the user feels a click to confirm that a threshold pressure

has been surpassed which is used to activate drawing or erasing in display (column 3, lines 49-51).

As to claim 27 and 43, Persidsky teaches wherein the pressure sensor (14 & 30, (figures 2 & 4)) is located on the bottom of the wireless remote control unit (column 3, lines 43-51 and column 4, lines 37-41).

5. Claims 28 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Autry and Stork in view of Persidsky as applied to claims 24 and 41 above, and further in view of Duncan et al. (5,847,695; hereinafter referred to as Duncan).

As to claim 28, Autry and stork disclose all claimed limitation except a motion sensor.

However, Duncan teaches a motion sensor (figures 4 and 6, (21 & 22)) and column 19-26; column 5, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Duncan's an input device having motion sensors into Autry's modified system so as to detect the movement of the of the input device (column 3, lines 20-25).

As to claim 44, Autry, Stork and Persidsky disclose all claimed limitation but omit a motion sensor.

However, Duncan teaches a motion sensor (figures 4 and 6, (21 & 22)) and column 19-26; column 5, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Duncan's an input device having motion sensors into Autry's modified system so as to detect the movement of the of the input device (column 3, lines 20-25).

Allowable Subject Matter

6. Claims 1-23 are allowed.

Response to Arguments

7. Applicant's arguments of the claims 24-46 filed on March 1, 2004 have been fully considered but they are not persuasive. On pages 2 and 3, Applicant argued that find no suggestion of "a sensor unit that generates an active signal ... independent of the selection of any position direction any option." .

However, Examiner cited new references (Duncan; Stork and Persidsky) to disclosed the claimed limitations such as "sensor unit, pressure sensor and motion sensor.

The combinations of all reference fairly teach the claimed limitation, and therefore, all reference should be taken in combination and not individually. In re Keller, 208 USPQ 871 (CCPA 1981).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Olsen et al. (6,137,479) teach a programmable computer-pointing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mansour M. Said whose telephone number is (703) 306-5411.

The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Shalwala Bipin**, can be reached at **(703) 305-4938**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer service Office whose telephone number is (703) 306-0377.

BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

May 10, 2004

Mansour M. Said